

FILED

MAY 28 2013

**Board of Vocational Nursing
and Psychiatric Technicians**

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**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN-2011-1343

**WALTERS SOH AKEBE, AKA
WALTER S. AKEBE**

A C C U S A T I O N

9354 Defiance Circle
Sacramento, California 95827

Vocational Nurse License No. VN 253019

Respondent.

Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") alleges:

PARTIES

1. Complainant brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians ("Board"), Department of Consumer Affairs.

Vocational Nurse License

2. On or about September 23, 2010, the Board issued Vocational Nurse License Number VN 253019 to Walters Soh Akebe, also known as Walter S. Akebe ("Respondent"). The Vocational Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2013, unless renewed.

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1 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
2 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
3 included in a stipulated settlement.

4 **FIRST CAUSE FOR DISCIPLINE**

5 (Criminal Conviction)

6 8. Respondent is subject to discipline under Code section 2878, subdivision (f), in that
7 Respondent was convicted of a crime that is substantially related to the qualifications, functions,
8 or duties of a vocational nurse, in that on or about September 26, 2012, in the case of *People v.*
9 *Walter S. Akebe* (Sacramento County Superior Court (2012), Case No. 11T05058), Respondent
10 was convicted by the court on his plea of nolo contendere of violating Vehicle Code section
11 23103.5 (a charge for reckless driving substituting a plea of nolo contendere of violating Vehicle
12 Code section 23152 for driving under the influence of alcohol), a misdemeanor. The
13 circumstances of the crime are that on or about August 28, 2011, Respondent drove a vehicle
14 while having a blood alcohol level of .11%.

15 **SECOND CAUSE FOR DISCIPLINE**

16 (Use of Alcohol to an Extent or in a Manner Dangerous or Injurious)

17 9. Respondent is subject to disciplinary action pursuant to Code section 2878,
18 subdivision (a), on the grounds of unprofessional conduct as defined by Code section 2878.5,
19 subdivision (b), in that on or about August 28, 2011, Respondent consumed alcoholic beverages
20 to an extent or in a manner dangerous or injurious to himself or others, when he drove a vehicle
21 under the influence of alcohol, as set forth in paragraph 8, above.

22 **THIRD CAUSE FOR DISCIPLINE**

23 (Conviction of a Crime Involving the Consumption of Alcohol)

24 10. Respondent is subject to disciplinary action pursuant to Code section 2878,
25 subdivision (a), on the grounds of unprofessional conduct as defined by Code section 2878.5,
26 subdivision (c), in that Respondent was convicted of a crime involving the consumption of
27 alcohol, as set forth in paragraph 8, above.

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1 **MATTERS IN AGGRAVATION**


2 11. To determine the degree of discipline to be assessed against Respondent, if any,
3 Complainant alleges that on or about September 3, 2010, the Board notified Respondent that it
4 approved his application for vocational nurse licensure despite a conviction for a crime
5 substantially related to the qualifications, functions, and duties of a vocational nurse, and that
6 similar behavior or violation of laws or regulations governing his practice as a vocational nurse
7 may result in disciplinary action against his license. Specifically, on or about November 15, 2007,
8 in a criminal proceeding entitled People v. Walters S. Akebe in Alameda County Superior Court
9 Superior Court (2007), Case Number 124519-6, Respondent was convicted by the Court on his
10 plea of no contest of violating Vehicle Code 23152, subdivision (b) (driving a vehicle under the
11 influence of alcohol with a blood alcohol count of .08% or more), a misdemeanor. The
12 circumstances are that on or about May 30, 2007, Respondent drove a vehicle with a blood
13 alcohol level in excess of .08%, and was involved in a collision.

14 **PRAYER**

15 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians
17 issue a decision:

- 18 1. Revoking or suspending Vocational Nurse License Number VN 253019, issued to
19 Walters Soh Akebe, also known as Walter S. Akebe;
- 20 2. Ordering Walters Soh Akebe, also known as Walter S. Akebe, to pay the Board of
21 Vocational Nursing and Psychiatric Technicians the reasonable costs of the investigation and
22 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
- 23 3. Taking such other and further action as deemed necessary and proper.

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25 DATED: May 28, 2013

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27 TERESA BELLO-JONES, J.D., M.S.N., R.N.
28 Executive Officer
Board of Vocational Nursing & Psychiatric Technicians
State of California
Complainant

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